

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ISAIAH A. MUHAMMAD,  
Plaintiff,  
-v-  
CAPTAIN HERNANDEZ, *et al.*,  
Defendants.

20-CV-3220 (JPO)

ORDER ADOPTING REPORT AND  
RECOMMENDATION

J. PAUL OETKEN, District Judge:

On August 3, 2021, Magistrate Judge Sarah L. Cave issued a thorough Report and Recommendation (the “Report”), which recommended that this action be dismissed without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b). (Dkt. No. 26.) The Court has reviewed the Report.

No party filed a timely objection to the Report; therefore, the Court reviews it for clear error. *See Fed. R. Civ. P. 72(b), Advisory Committee’s Notes (1983)* (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); *see also Borcsok v. Early*, 299 F. App’x 76, 77 (2d Cir. 2008). Magistrate Judge Cave’s well-reasoned Report presents no such errors and is therefore fully adopted by this Court.

Accordingly, this action is dismissed without prejudice for failure to prosecute. The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: January 26, 2022  
New York, New York

  
J. PAUL OETKEN  
United States District Judge